

Message Text

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SUBJ: SOMALI DETENTION OF US MARINES

1. AT 1100 JANUARY 1ST, TWO US MARINES AND A UK CITIZEN (EMPLOYEE OF SOMALTEX) WERE ARRESTED BY SOMALI POLICE AS THEY APPROACHED THE ENTRANCE TO PRESIDENT SIAD'S MILITARY COMPOUND. THE THREE MEN WERE RIDING ON A DONKEY CART ON THEIR WAY TO THE BEACH, AND WERE CASUALLY ATTIRED; ONE MARINE WAS SHIRTLESS. THE THREE ALSO WERE DRINKING BEER.

2. EMBOFFS VISITED POLICE STATION AT KM4 DURING THE AFTERNOON AND EVENING OF 1 JANUARY TO ASCERTAIN THE CHARGES MADE AGAINST THE MEN, AND TO TRY TO GET THEM RELEASED ON BAIL. IT WAS APPARENT THAT THE POLICE WERE SOMEWHAT IN A QUANDRY AS TO HOW TO PROCEED AND WHAT CHARGES TO BRING AGAINST THEM. IN ANY

EVENT, THE POLICE MAINTAINED THAT ONCE UNDER DETENTION, THE POLICE HAD NO AUTHORITY TO RELEASE THE MEN, AND THE INDIVIDUAL WHO COULD, A SPECIFIC OFFICER AT DIVISIONAL HEADQUARTERS, WAS UNAVAILABLE. THE POLICE SAID THAT CHARGES WOULD BE BROUGHT AGAINST THE MEN AT PRELIMINARY COURT PROCEEDINGS DURING THE

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MORNING OF 2 JANUARY. THE POLICE SPOKE GENERALLY OF THE MEN

BEING "NAKED IN PUBLIC", DRINKING, AND OFFENDING SOMALI MORALS. ALLEGEDLY TRAFFIC HAD BEEN STOPPED IN BOTH DIRECTIONS BY ON-LOOKERS WHO WERE SHOCKED AT THE APPEARANCE OF THE MEN. THE MEN SPENT THE NIGHT IN JAIL AND WERE BROUGHT FOOD AND BLANKETS BY EMBOFFS.

3. DURING A PRELIMINARY COURT HEARING AT THE SOMALI REGIONAL COURT DURING MORNING OF JANUARY 2, THE PRESIDENT OF COURT CHARGED THE THREE MEN UNDER ARTICLE 561 OF THE SOMALI PENAL CODE, AND RELEASED THEM ON BAIL. THE PRESIDENT SAID THAT THE THREE MEN HAD BEEN RIDING A DONKEY CART IN A STATE OF UNDRESS AND HAD OFFENDED SOMALI MORALS. NO MENTION WAS MADE OF DRINKING. THE UK CITIZEN WAS CHARGED ADDITIONALLY WITH ASSAULTING A POLICE OFFICER WHO WAS IN THE PROCESS OF CARRYING OUT HIS LAWFUL DUTIES.

4. AT THE SAME TIME COURT PROCEEDINGS WERE UNDERWAY, AMBASSADOR CALLED ON ACTING FORMIN ABDURAHMAN. STATED HE REGRETTED ANY ACTIONS TWO INDIVIDUALS MIGHT HAVE TAKEN WHICH OFFENDED SOMALIS. HE HOPED THAT MATTER WOULD BE HANDLED BY SOMALI GOVERNMENT IN MANNER WHICH COULD AVOID TRANSFORMING YOUTHFUL INDISCRETION INTO SOMETHING WHICH WOULD COMPLICATE IMPROVING US-SOMALI RELATIONSHIP. ASKED THAT MEN BE RELEASED WITH REPRIMAND.

5. ABDURAHMAN TOOK "MORE IN SORROW THAN IN ANGER" LINE OVER TWO MEN'S "UNNECESSARY" ACTIONS WHICH CONSTITUTED "SERIOUS" OFFENSE AGAINST SOMALI SENSIBILITIES. HE TOO SOUGHT IMPROVEMENT IN US-SOMALI RELATIONSHIP; HE COULD NOT RPT NOT PROMISE TO GET MEN RELEASED BUT WOULD "DO HIS BEST" IN THE MATTER.

6. COMMENT: WE BELIEVE THAT THIS UNFORTUNATE AFFAIR WILL BE SETTLED WITHOUT FURTHER COMPLICATIONS, AND THAT THE MARINES WILL BE FINED, BUT PROBABLY NOT EXPELLED. THE PRESIDENT OF THE REGIONAL COURT COMMENTED PRIVATELY THAT THIS SORT OF PRANK DID OCCUR FREQUENTLY IN OTHER COUNTRIES. AT ALL TIMES, POLICE, COURT AND FONOFF OFFICIALS WERE COURTEOUS TO THE CONSULAR OFFICER, AND THERE WAS LITTLE RHETORIC IN THEIR PRESENTATION.

7. THE MARINES HAVE BEEN DIRECTED BY THE PRESIDENT OF THE COURT TO CONFINE THEMSELVES TO THEIR QUARTERS AND TO THE EMBASSY UNTIL THE CASE IS BROUGHT UP AGAIN, PROBABLY BY 10 JANUARY, ACCORDING
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TO THE PRESIDENT OF THE COURT.
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